

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Doris Bell, et al.

Assignee: Cognis IP Management GmbH.

Application No.: 10/565,135

Customer No.: 23657

Filing Date: January 18, 2009

Art Unit: 1645

Confirmation No.: 9061

Title: Use of CIS-9, Trans-II Isomer of
Conjugated Linoleic Acid (CLA) for
Treating Inflammatory Diseases

Docket No.: C-2864 PCT/US -P40081 USA

ELECTRONICALLY FILED ON SEPTEMBER 3, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Enclosed is a copy of the Official Filing Receipt issued by the United States Patent and Trademark Office for the above-captioned application. Applicants' attorney respectfully requests that the title of this invention be changed to: **Use of CIS-9, Trans-II Isomer of Conjugated Linoleic Acid (CLA) for Treating Inflammatory Diseases**. Please see copy of applicant's Transmittal letter reflecting the correct title. Applicants' also respectfully request that the International Filing Date be changed to January 18, 2006. Please see copy of the stamped post-card from the U.S. Designated Office reflecting the date of January 18, 2006 **not** December 18, 2006 as indicated on the Filing Receipt. Applicants' attorney respectfully request the issuance of a Corrected Filing Receipt indicating the correct title and National Stage Filing Date..

Respectfully submitted,

Dated: September 3, 2009

/Joseph F. Posillico/
Joseph F. Posillico
Registration No. 32,290
Fox Rothschild LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103-3291
Tel.: (215) 299-2000
Fax: (215) 299-2150



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
10/565,135	12/18/2006 1/18/06	1645	1230	C 2864 PCT/US	13	4

23657
FOX ROTHSCHILD LLP
1101 MARKET STREET
PHILADELPHIA, PA 19107

CONFIRMATION NO. 9061

FILING RECEIPT



Date Mailed: 01/23/2009

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Doris Bell, Duesseldorf, GERMANY;
Albrecht Weiss, Langenfeld, GERMANY;
Albert Strube, Neuss, GERMANY;
Bernd Fabry, Korschenbreich, GERMANY;
Gerhard Jahreis, Jena, GERMANY;
Anke Jaudszus, Mechterstaedt, GERMANY;

Assignment For Published Patent Application

COGNISIP MANAGEMENT GMBH, Duesseldorf, GERMANY

Power of Attorney:

Jane Keene--36014

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/14592 12/19/2003

Foreign Applications

GERMANY 103 32 712.6 07/18/2003

If Required, Foreign Filing License Granted: 01/21/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/565,135**

Projected Publication Date: 05/07/2009

Non-Publication Request: No

Early Publication Request: No

Title

Use of CIS-9, Trans-11 Isomer of Conjugated Linoleic Acid

Preliminary Class **USE OF CIS-9, TRANS-11 ISOMER OF CONJUGATED**
424 **LINOLEIC ACID (CLA) FOR TREATING INFLAMMATORY**
PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES DISEASES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.


This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Form PTO-1390 (Rev. 12-2004)		US PATENT AND TRADEMARK OFFICE; US DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NO. C 2864 PCT/US	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known see 37 CFR 1.5)	
INTERNATIONAL APPLICATION NO. PCT/EP2003/014592		INTERNATIONAL FILING DATE December 19, 2003		PRIORITY DATE CLAIMED July 18, 2003	
TITLE OF INVENTION USE OF CIS-9, TRANS-11 ISOMER OF CONJUGATED LINOLEIC ACID (CLA) FOR TREATING INFLAMMATORY DISEASES					
APPLICANT(S) FOR DO/EO/US Doris BELL, Albrecht WEISS, Albert STRUBE, Bernd FABRY, Gerhard JAHREIS, and Anke JAUDSZUS					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (UNEXECUTED). 10. <input type="checkbox"/> A English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 					
Items 11 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Information Disclosure Citation 					
"Express Mail" Mailing Label Number <u>EV530260847US</u>.					

U.S. Application No. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/EP2003/014592		ATTORNEY'S DOCKET NUMBER C 2864 PCT/US	
21. The following fees are submitted:					
■ a) Basic national fee.....				\$ 300.00	
■ b) Examination fee.....				\$ 200.00	
■ c) Search fee - search report prepared and provided to USPTO.....				\$ 400.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
24 - 100 =	0/50 =	0	x \$250.00	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	13 - 20 =	0	0 X \$50.00	\$ 0	
Independent Claims	4 - 3 =	1	0 X \$200.00	\$ 200.00	
MULTIPLE DEPENDENT CLAIMS (S) (if applicable)				0	+ \$360.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1,100.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0	
SUBTOTAL =				\$ 1,100.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0	
TOTAL NATIONAL FEE =				\$ 1,100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0	
TOTAL FEES ENCLOSED				\$ 1,100.00	
				Amount to be refunded:	\$-----
				Amount to be charged:	\$1,100.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1177</u> in the amount of \$ <u>1,100.00</u> to cover the above fees. A triplicate copy of this sheet is enclosed. Order No. <u>06-0029</u> . c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1177</u> . A triplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer Label No. 23657				 SIGNATURE <u>Jane E. Alexander</u> NAME ATTORNEY FOR APPLICANT <u>36,014</u> REGISTRATION NUMBER	

DOCKET NO. C 2864 PCT/US
SERIAL NO. 10/565135 ATTORNEY TEA/mc
APPLICANT BELL ET AL.

The patent office acknowledges, and has stamped hereon the date of the receipt of the items checked below:

- ☒ AFFIDAVIT OR DECLARATION - UNEXECUTED (4 pages)
☒ AMENDMENT - PRELIMINARY (8 pages)
☐ APPEAL NOTICE
☒ APPLICATION (16 pages)
☐ ASSIGNMENT
☐ BASE ISSUE FEE
☐ BRIEF - IN TRIPLICATE
☒ CERT. OF MAILING BY EXPRESS MAIL (MAILING LABEL NO. EV530260347US)
1-18-06 (DATE)
☐ EXTENSION OF TIME REQUEST
☐ LETTER
☒ LETTER - CHARGE DEPOSIT ACCOUNT (on trip.)
☐ LICENSE PETITION (35 USC 184)
☒ DRAWINGS - 3 SHEETS
☒ PCT TRANSMITTAL LETTER PTO-1390
☐ PETITION
☒ PRIORITY CLAIM
☒ REFERENCES/IDC
☐ RESPONSE
☐ TERMINAL DISCLAIMER
☐ PCT TRANSMITTAL LETTER PTO-1382 (IF DUPLICATE)
☐ PCT REQUEST ___ PAGES; DESCRIPTION ___ PAGES;
☐ CLAIMS ___ PAGES; ABSTRACT ___ PAGES
☐ FEE CALCULATION SHEET (IN TRIPLICATE)
☐ RESPONSE TO INVITATION TO CORRECT DEFECTS
☐ POWER OF ATTORNEY
☒ OTHER
1. Information Disclosure Statement
2. International Search Report

18 JAN 2006

ENTERED
WI  DATABASE

RECEIVED COGNIS LAW DEPT.
ACTION _____ INFO _____

JAN 30 2006

DUE _____
FILE C 2864